

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

MARQUIS K. HATTON, #768119	§	
VS.	§	CIVIL ACTION NO. 6:06cv271
SHIRLEY ALEXANDER, ET AL.	§	

ORDER OF PARTIAL DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge John D. Love. The Report and Recommendation of the Magistrate Judge (docket entry #33), which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

ORDERED that the Defendants' motion to dismiss (docket entry #28) is **GRANTED** to the extent that the Plaintiff has sued the Defendants for damages in their official capacity. The motion to dismiss is **DENIED** in all other respects. It is further

ORDERED that the Plaintiff's claim for damages against the Defendants in their official capacity is **DISMISSED** with prejudice.

So ORDERED and SIGNED this 30th day of March, 2007.



LEONARD DAVIS
UNITED STATES DISTRICT JUDGE